

Appl. No. : 10/072,633  
Filed : February 7, 2002

2)

However, the examiner takes Official Notice that it is well known that an amplifier designed for transmission will exhibit positive gain and the receive amplifier will at the same time exhibit zero gain. Therefore, at the time of the applicant's invention, it would have been obvious to modify Davis to not produce a positive gain from the receive amplifier when the transmit amplifier is producing positive gain so that echo will not become problematic for the coupler.

3)

However, the examiner takes Official Notice that it is well known to utilize an audio transducer to verify that an audio modem signal is present at the output point of the wireless telephone coupler. Therefore, at the time of the applicant's invention it would have been obvious to modify Davis to verify proper operation of the wireless telephone coupler in order to verify proper operation of the coupler.

Applicants traverse the above three assertions of Official Notice. Applicants particularly traverse item no. 1 (above) on the basis that it purportedly indicates that Official notice is taken that "it would have been obvious to modify Davis..."

In accordance with MPEP § 2144.03(C), Applicants submit that any further action on the merits relying on any of the items 1-3 (above) should include "documentary evidence" supporting those of the above-noted items, or if "the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding. See 37 CFR 1.104(d)(2)."

#### CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any

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undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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